

The Court further approves the following Notice schedule:

DEADLINE	DESCRIPTION OF DEADLINE
15 Days from the Entry of this Order	Defendant to disclose the full names, last known addresses, last known email addresses, telephone numbers, and dates of employment of the Putative Class Members. Defendants will provide this information only if available to Defendants. This information shall be produced in a usable electronic format.
7 Days from Receipt of Contact Information of Putative Class Members from Defendant	Plaintiff's Counsel shall send by mail and e-mail a copy of Notice and Consent Forms to the Putative Class Members.
60 Days from Date Notice is Mailed to Potential Class Members	The Putative Class Members shall have 60 days to return their signed Consent forms for filing with the Court. That 60 day period shall begin to run three days after the mailing of the notice by Plaintiff's Counsel. Notice shall be considered timely received if postmarked no later than the end of that 60-day notice period and filed by Counsel for Plaintiff promptly thereafter.
30 Days from Date Notice is Mailed to Potential Class Members	Plaintiff's Counsel is authorized to send a postcard reminder to the Putative Class Members and is authorized to e-mail a second identical copy of the Notice and the Consent form to the Putative Class Members reminding them of the deadline for the submission of the Consent forms.

2. Within 24 hours of mailing the notices to the potential class members as described above, Counsel for Plaintiff shall file a notice with the Court through the Court's ECF system advising of the date of the mailing.

3. Defendant is further ordered to provide Counsel for Plaintiff with the last four digits of the Social Security Number for putative class members whose mail is returned undeliverable. Defendant shall provide that data within 48 hours of being notified by Counsel for Plaintiff that mail for any putative plaintiff was returned as undeliverable.


4. The Court orders that the envelope, which the aforementioned notices shall be mailed in, state on the outside, in regular or bold typeface: “**Notice of Unpaid Overtime Lawsuit – Deadline to Join.**” Plaintiff’s Counsel may also e-mail the notices to the employees with the same notice on the cover e-mail and subject line attaching the notices.

5. The Court further ORDERS that the consent to join forms shall be in substantially similar form and substance as the consent form attached to the Joint Motion.

6. The Court further ORDERS that this case be stayed for a period of sixty (60) days following the close of the opt-in period so that the Parties may attempt to settle the claims of Plaintiff and any Opt-in Plaintiff. No formal discovery shall proceed during the stay, but the Parties are encouraged to informally share any documents that would lead to an early resolution of the case without the necessity of judicial resources.

Finally, the Court ORDERS that the issue of service as to Defendants Excell Operating, Inc., Jonathan Swarek, and Michael Booth shall be held in abeyance until fourteen (14) days after the expiration of the sixty (60) day stay provided for in ¶ 6.

SIGNED THIS 17th DAY OF OCTOBER, 2022.


TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

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